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EXAMINER
STORM, DONALD L

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 09/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *August 14, 2001 through May 2, 2002* .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *14 August 2001* is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Response to Amendment

1.   On page 3 of the NEW APPLICATION TRANSMITTAL filed with the application

(paper 1), an amendment is directed for entry before the first line of the specification. If entered,

this proposed amendment would substantially duplicate lines 5-6 of page 1. The Examiner has

deleted this instruction for an amendment to the specification. No change has been made to the

specification as filed.

If the changes by the Examiner are unacceptable to the Applicant, detailed instructions

should be submitted in the next communication from the Applicant.

Drawings

2.   The drawings are objected to under 37 CFR § 1.83(a) because they fail to clearly show

significant features of the subject matter sought to be patented. See MPEP § 608.02(d). At a

minimum, representation of the following features should be added to the drawings to show the

claimed invention as a whole:

        a.   10,000 or more encoded text information streams (claim 1);

        b.   a standard text format (claim 20); and

        c.   converting text information in a plurality of captionist protocols into the standard

text format (claim 20).

3.   Corrected drawings (or drawings with proposed corrections highlighted, preferably in red

ink) are required in response to this Office action. Corrections may no longer be held in abeyance

and ANY REQUEST TO HOLD CORRECTIONS TO THE DRAWINGS IN ABEYANCE WILL

NOT BE CONSIDERED A *BONA FIDE* ATTEMPT TO PROVIDE A COMPLETE REPLY.

See 37 C.F.R. § 1.121(d) and § 1.85(a), published September 8 and September 20, 2000.

Specification

4.   The abstract is objected to under 37 C. F. R. § 1.72 because it does not describe the disclosure sufficiently, particularly the matter claimed as new. A cursory inspection of the abstract should inform readers of the nature and gist of the technical disclosure. See MPEP § 608.01(b). Appropriate correction is required. The following additional matter contained in the disclosure should be briefly mentioned:

    a.   10,000 or more encoded text information streams (claim 1);

    b.   a text information stream (claim 9);

    c.   a standard text format (claim 20); and

    d.   converting text information in a plurality of captionist protocols into the standard

text format (claim 20).

Claim Informalities

5.   The form of the claims does not follow Office practice. While there is no set statutory form for claims, the present Office practice is to insist that each claim must be the object of a sentence starting with "I (or we) claim", "The invention claimed is", or the equivalent. The Applicant is encouraged to insert a desired introduction before claim 1. If, at the time of allowance, appropriate terminology is not present, it is inserted by the technical staff. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Kessler

7.   Claim 20 is rejected under 35 U.S.C. 102(e) as being anticipated by <u>Kessler</u> et al. [US

Patent 6,373,526].

8.   Regarding claim 20, <u>Kessler</u> describes a system comprising:

a computer system [at column 3, line 57, as computer processor];

a software application configured [at column 4, lines 14-15, as software executed by the

processor];

to receive text [at column 1, lines 19-20, as receiver extracts closed caption data];

that was encoded by captionist software encoding protocols [at column 5, lines 43-50, as

text for scroll-up style for the 708 standard and text for scroll-up style for the 608 standard];

and to convert the text encoded by different captionist protocols into a standard text format

[at column 5, lines 44-50, as implement smooth scrolling up for the 708 standard using the same

software code implementing scrolling-up for the 608 standard].

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims
under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was
commonly owned at the time any inventions covered therein were made absent any evidence to
the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor
and invention dates of each claim that was not commonly owned at the time a later invention was
made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35
U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Sharman and Mortenson

10.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Sharman</u> et al.

[UK Patent Application GB 2 285 895] in view of <u>Mortenson</u> et al. [US Patent 5,563,804].

11.   Regarding claim 1, <u>Sharman</u> [at pages 6-7] describes providing speech-to-text conversion

and encoding comprising:

a speech-to-text converter [at page 7, lines 22-25, as speech recognition software to

convert to text];

a processor that encodes text information [at page 7, lines 25-29, as conferencing software

(P2P) that is capable of sending text messages from one machine to another];

encoding the text information with the processor [at page 7, lines 25-30, as send text

messages from one machine to another using known computer communication techniques];

into streaming text information [at page 6, lines 13-17, as messages over a LAN].

<u>Sharman</u> point out that the conference is not limited to three or six parties, and is not limited to a LAN. <u>Sharman</u>, however, does not specifically identify any other particular number of participants. In particular, <u>Sharman</u> does not explicitly describe 10,000 or more text information streams.

<u>Mortenson</u> [at Figure 2] also describes a networked conference, and <u>Mortenson</u> describes:

a processor configured to receive text information and encode text information streams [at column 3, lines 35-41, as a conference manager broadcasts text completed by a user through a network to subscribers]; and

10,000 or more streams [at column 1, lines 28-30, as millions of subscribers of large networks].

In view of <u>Mortenson</u>'s indication of over 10,000 subscribers to the information of large networks, who might monitor the discussion, it would have been obvious to one of ordinary skill in the art of network information streams at the time of invention to allow for 10,000 or more encoded text streams of <u>Sharman</u>'s multicast conference because the text information of the conference could be monitored by a large number of subscribers, who could pay for the privilege or guarantee large advertising revenue.

12.   Regarding claim 2, <u>Mortenson</u> also describes:

simultaneously transmitting the 10,000 or more text streams [at column 3, line 35-39, as broadcast the text to all other participants].

13.   Regarding claim 3, <u>Mortenson</u> also describes:

100,000 or more streams [at column 1, lines 28-30, as millions of subscribers of large

networks];

simultaneously transmitting the 100,000 or more text streams [at column 3, line 35-39, as

broadcast the text to all other participants].

14.   Regarding claim 4, <u>Mortenson</u> also describes:

1,000,000 or more streams [at column 1, lines 28-30, as millions of subscribers of large

networks];

simultaneously transmitting the 1,000,000 or more text streams [at column 3, line 35-39, as

broadcast the text to all other participants].

15.   Regarding claim 5, <u>Sharman</u> also describes:

a caption server to receive the text information and transmit it to the processor [at page 7,

lines 16-30, as a computer and operating system supporting speech recognition software that

produces text, computer communications software that sends text, and control of the speech

recognition software and communications software].

16.   Regarding claim 6, <u>Sharman</u> also describes:

a caption server to receive text information [at page 7, lines 16-30, as a computer and

operating system supporting speech recognition software that produces text];

from 200 or more speech-to-text converters [at abstract, as speech recognition software supported by a computer workstation and one or more other workstations involved in a conference].

Sharman points out that the conference is not limited to three or six parties. Sharman, however, does not specifically identify any other particular number of participants. In particular, Sharman does not explicitly describe 200 or more speech-to-text converters.

Sharman's range of one or more other workstations supporting speech recognition includes the claimed range of 200 or more converters. To provide a concrete system using the concepts explicitly described and concepts suggested by Sharman, it would have been obvious to one of ordinary skill in the art of speech processing systems at the time of invention to implement a specific number of workstations in the range described and suggested by Sharman. In view of Sharman's suggestion of more than 3 or 6 conference subscribers, it would have been obvious to one of ordinary skill in the art of multimedia conferencing at the time of invention to provide 200 or more speech-to-text converters supported on workstations because that would allow 200 or more user to participate in the conference simultaneously, and they could pay for the privilege or guarantee large advertising revenue.

Sharman and Mortenson and Kirkland

17.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharman et al. [UK Patent Application GB 2 285 895] in view of Mortenson et al. [US Patent 5,563,804], and further in view of Kirkland [US Patent 5,900,908].

18.   Regarding claim 7, <u>Mortenson</u> describes providing both closed captioning text and text entered by a conference participant to a encoder. However, <u>Mortenson</u>'s does not describes details of the generation of the closed captions by the information service provider. Although, <u>Sharman</u> describes text produced from speech-to-text conversion, <u>Sharman</u> does not describe the text as captioning text.

In particular, neither <u>Sharman</u> nor <u>Mortenson</u> explicitly describes closed captioning software to accomplish the speech to text conversion.

<u>Kirkland</u> [at column 8, lines 29-37] describes an embodiment for teleconferencing, and <u>Kirkland</u> describes:

a speech to text converter comprising a computer running captioning software [at column 5, lines 37-58, as a computer equipped with software to prepare caption data, that may be an automatic speech recognition system, prepares captions of the received program & column 6, lines 31-32, as caption data including text].

In view of <u>Kirkland</u>'s description of closed captioning software to convert speech of a audio teleconference to text for encoding and transmission to conference participants, it would have been obvious to one of ordinary skill in the art of speech to text conversion at the time of invention to use <u>Kirkland</u>'s concept of captioning software to implement <u>Sharman</u>'s text to speech conversion because <u>Kirkland</u> points out that suitable off-the-shelf products already exist that allow the creation of both real-time captions, such as the captions that <u>Mortenson</u> encodes and the generation of off-line captions similar to the speech-to-text conversion described by <u>Sharman</u>.

Sharman and Mortenson and Kirkland and Dillon

19.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Sharman</u> et al.

[UK Patent Application GB 2 285 895] in view of <u>Mortenson</u> et al. [US Patent 5,563,804]and

<u>Kirkland</u> [US Patent 5,900,908], and further in view of <u>Dillon</u> et al. [US Patent 5,852,721].

20.   Regarding claim 8, <u>Sharman</u> [at page 8, lines 11-18] also describes that the software and

network adapters are included to support communication formats that allow messages to be

transmitted over a LAN.

<u>Sharman</u> [at page 7, line 35-page 8, line 13] points out Ethernet and other network data

formats that may be used to transmit the conference data. Although <u>Sharman</u> points out that the

particular architecture and format of the audio conference are not critical, <u>Sharman</u>, however, does

not explicitly describe that software and devices to encode for transmission among users who

participate in the conference through an Internet connection.

In particular, none of <u>Sharman</u>, <u>Mortenson</u>, or <u>Kirkland</u> explicitly describes transmission

over the Internet without a serial to IP device.

<u>Dillon</u> [at column 5, lines 32-67] describes a hybrid terminal that can make an Internet

connection through a SLIP provider, but interfaces to completely different physical networks, such

as an Ethernet. <u>Dillon</u> describes:

software that allows information to be transmitted over an Internet connection without the

use of a serial to IP device [at column 5, line 53-column 6, line 35, as software within a hybrid

terminal that encodes IP addresses for Internet routing].

In order to follow <u>Sharman</u>'s suggestion of other data formats for transmission of the

conference data, although <u>Sharman</u>'s description only provides details of LAN transmission, an

artisan would find Dillon's description of Ethernet and Internet connections suitable. It would

have been obvious to one of ordinary skill in the art of network addressing and transmission at the

time of invention to use Dillon's concept of software that allows information to be transmitted

over an Internet connection without the use of a serial to IP device because Dillon's description of

a hybrid terminal would allow conference participants to connect through the LAN that Sharman

describes or through an Internet connection.

Sharman and Ludwig

21.   Claims 9-11, 14-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sharman et al. [UK Patent Application GB 2 285 895] in view of Ludwig, Jr. [US Patent

5,751,338].

22.   Regarding claim 9, Sharman describes a system comprising:

a conference bridge receiving audio information [at page 7, lines 6-10, as a central

multipoint control unit to which audio signals go];

a speech-to-text converter [at page 7, lines 22-25, as speech recognition software to

convert to text];

to receive audio from the bridge [at page 13, lines 11-17, as speech recognition software on

the server would be fed audio input];

and to convert the audio to text [at page 7, lines 23-25, as convert audio by speech

recognition software into text];

a processor to receive the text from the converter [at page 9, lines 19-36, as conferencing

software is submitted text result of speech recognition];

and encode text information [at page 7, lines 25-30, as send text messages from one

machine to another using known computer communication techniques];

that is a text stream [at page 6, lines 13-17, as P2P provides messages over a LAN].

Sharman [at page 8, lines 11-18] also describes that the software and network adapters are

included to support communication formats that allow messages to be transmitted over a LAN.

Sharman, however, does not explicitly describe that this software and devices encode the

messages for transmission over the LAN.

The discussion by Sharman requires a conventional way to format and send the messages

over the LAN. Accordingly, an artisan would be motivated to find known communications

methods in order to implement communications among Sharman's workstations.

Ludwig [at column 35, lines 9-20] provides a method of conferencing user interfaces with

conversion among a variety of conventional communications formats. Ludwig describes

conventional encoding including:

encoding streaming information by a processor [at column 17, lines 48-57, as a

compression scheme illustrating creating a stream of code words by a processor];

that is text information [at column 41, line 59, as close-captioned text].

To the extent that Sharman's communication software and hardware does not innately

provide encoding to implement the communications, Ludwig's concepts of conventional encoding

of messages could be used to communicate Sharman's messages because both Sharman and

Ludwig describe connecting multimedia conference workstations over a LAN and

nonhomogeneous links. It would have been obvious to one of ordinary skill in the art of

communications between workstations at the time the invention was made to include Ludwig's

concept of conventional encoding algorithms because that would have provided the conventional

encoding of Sharman's messages that Sharman's system requires.

23.   Regarding claim 10, Ludwig also describes:

transmission of information from the conference bridge to the speech-to-text converter is

by a wireless system [at column 6, lines 50-53, as central offices are networked by microwave,

radio, or satellite].

24.   Regarding claim 11, Sharman also describes:

the processor to receive text information [at page 7, lines 16-30, as a computer and

operating system supporting speech recognition software that produces text];

from 200 or more speech-to-text converters [at abstract, as speech recognition software

supported by a computer workstation and one or more other workstations involved in a

conference].

Sharman point out that the conference is not limited to three or six parties. Sharman,

however, does not specifically identify any other particular number of participants. In particular,

Sharman does not explicitly describe 200 or more speech-to-text converters.

Sharman's range of one or more other workstations supporting speech recognition includes

the claimed range of 200 or more converters. To provide a concrete system using the concepts

explicitly described and concepts suggested by Sharman, it would have been obvious to one of

ordinary skill in the art of speech processing systems at the time of invention to implement a

specific number of workstations in the range described and suggested by Sharman. In view of

Sharman's suggestion of more than 3 or 6 conference subscribers, it would have been obvious to

one of ordinary skill in the art of multimedia conferencing at the time of invention to provide 200

or more speech-to-text converters supported on workstations because that would allow 200 or

more user to participate in the conference simultaneously, and they could pay for the privilege or

guarantee large advertising revenue.

25.   Regarding claim 14, <u>Ludwig</u> also describes:

audio information obtained from live event audio, speech audio, and motion picture audio

[at column 42, lines 63-66, as movies segments & column 7, line 53, as video/audio].

26.   Regarding claim 15, <u>Sharman</u> also describes:

a text-to-speech converter to convert the text to audio [at page 4, lines 1-2, as speech

synthesis at the workstation that would reconstitute text into audio].

27.   Regarding claim 16, <u>Sharman</u> also describes:

a language translator to convert the text from a first language into another language [at

page 4, lines 8-10, as a translation unit to convert the text into the language for each participant].

28.   Regarding claim 17, <u>Sharman</u> also describes:

the processor is configured to transmit the text information to a computer system [at page

13, lines 12-18, as conferencing software on the workstation returns the text of the workstation];

of a viewer [at page 4, lines 28-29, as visual display of text at the workstation].

29.   Regarding claim 19, Ludwig also describes:

the processor is configured [at column 32, lines 13-23, as units at each office are assigned

optimally relevant to each conference class];

to receive information [at column 44, lines 24-28, as the office receives data on carriers

coupled to workstations];

from a viewer [at column 40, lines 1-10, as users of workstations with graphics on the

screen of delivered video signals].

Sharman and Ludwig and Kirkland

30.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharman et al.

[UK Patent Application GB 2 285 895] in view of Ludwig, Jr. [US Patent 5,751,338], and further

in view of Kirkland [US Patent 5,900,908].

Regarding claim 12, Sharman describes text produced from speech-to-text conversion.

Sharman [at column 41, lines 55-62] also discusses that the text can be available as closed

captioned text streamed from network providers. However, Sharman does not explicitly describe

the text for the speech to text converter as captioning text.

In particular, neither Sharman nor Ludwig explicitly describes closed captioning software

to accomplish the speech to text conversion.

Kirkland [at column 8, lines 29-37] describes an embodiment for teleconferencing, and

Kirkland describes:

a speech to text converter comprising a computer running captioning software [at column

5, lines 37-58, as a computer equipped with software to prepare caption data, that may be an

automatic speech recognition system, prepares captions of the received program & column 6, lines

31-32, as caption data including text].

In view of Kirkland's description of closed captioning software to convert speech of a

audio teleconference to text for encoding and transmission to conference participants, it would

have been obvious to one of ordinary skill in the art of speech to text conversion at the time of

invention to use Kirkland's concept of captioning software to implement Sharman's text to speech

conversion because Kirkland points out that suitable off-the-shelf products already exist that allow

the creation of both real-time captions, such as the captions that Ludwig encodes and the

generation of captions similar to the speech-to-text conversion described by Sharman.

Sharman and Ludwig and Kirkland and Dillon

31.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharman et al.

[UK Patent Application GB 2 285 895] in view of Ludwig, Jr. [US Patent 5,751,338] and Kirkland

[US Patent 5,900,908], and further in view of Dillon et al. [US Patent 5,852,721].

32.   Regarding claim 13, Sharman [at page 8, lines 11-18] also describes that the software and

network adapters are included to support communication formats that allow messages to be

transmitted over a LAN.

Sharman [at page 7, line 35-page 8, line 13] points out Ethernet and other network data

formats that may be used to transmit the conference data. Although Sharman points out that the

particular architecture and format of the audio conference are not critical, Sharman, however, does

not explicitly describe that software and devices to encode for transmission among users who

participate in the conference through an Internet connection.

In particular, none of <u>Sharman</u>, <u>Ludwig</u>, or <u>Kirkland</u> explicitly describes transmission over the Internet without a serial to IP device.

<u>Dillon</u> [at column 5, lines 32-67] describes a hybrid terminal that can make an Internet connection through a SLIP provider, but interfaces to completely different physical networks, such as an Ethernet. <u>Dillon</u> describes:

software that allows information to be transmitted over an Internet connection without the use of a serial to IP device [at column 5, line 53-column 6, line 35, as software within a hybrid terminal that encodes IP addresses for Internet routing].

In order to follow <u>Sharman</u>'s suggestion of other data formats for transmission of the conference data, although <u>Sharman</u>'s description only provides details of LAN transmission, an artisan would find <u>Dillon</u>'s description of Ethernet and Internet connections suitable. It would have been obvious to one of ordinary skill in the art of network addressing and transmission at the time of invention to use <u>Dillon</u>'s concept of software that allows information to be transmitted over an Internet connection without the use of a serial to IP device because <u>Dillon</u>'s description of a hybrid terminal would allow conference participants to connect through the LAN that <u>Sharman</u> describes or through an Internet connection.

Sharman and Ludwig and Metz

33.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Sharman</u> et al. [UK Patent Application GB 2 285 895] in view of <u>Ludwig</u>, Jr. [US Patent 5,751,338], and further in view of <u>Metz</u> et al. [US Patent 5,768,539].

34.   Regarding claim 18, <u>Sharman</u> [at page 4, lines 28-29] and <u>Ludwig</u> [at column 40, lines 1-10] use an application coordinated by the viewer's workstation operating system to display and manipulate the text information.

<u>Sharman</u> and <u>Ludwig</u> describe a viewer that already is available on the workstation of the user/viewer. Consequently, neither <u>Sharman</u> nor <u>Ludwig</u> explicitly describes a viewer application that is transmitted to the viewer's workstation.

<u>Metz</u> [at abstract] provides an interactive text, audio, and video capability to individual workstations connected to a central server, including:

a processor to transmit a software application [at column 5, lines 25-29, as a software server transmits software through a channel];

to a viewer [at column 36, lines 14-20, as the text server initiates a download in a session with a subscriber];

that is a text viewer application [at column 36, lines 21-50, as a downloaded application to display text pages].

<u>Metz</u> [at column 3, lines 32-53] points out that a viewer is limited to services that are compatible with the user's terminal device, which creates a problem for the user to begin and maintain compatibility with the services. <u>Metz</u>'s solution is to send a compatible software application to the user of a particular service. Since <u>Metz</u> provides the solution, it would have been obvious to one of ordinary skill in the art of providing software at the time of invention to include <u>Metz</u>'s concept of transmitting viewer software to <u>Sharman</u>'s and <u>Ludwig</u>'s workstations connected through the conference bridge because that would ensure that subscribers to the conference operate compatible software on their workstations to display and view text of the conference.

Conclusion

35.   The following references here made of record are considered pertinent to applicant's

disclosure:

Orphan [US Patent 5,424,785] describes a stenographer's computer remote from the central site

processor receiving, recording, encoding, and transmitting a live feed with captions.

Nielsen [US Patent 5,805,153] describes encoding and streaming text information that is derived

from a multimedia event over an Internet for manipulation and display by an Internet

browser.

Sharman et al. [US Patent 6,100,882] describes the same as UK Patent Application GB 2 285 895.

36.   Any response to this action should be mailed to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

or faxed to:

> (703) 872-9314, (for formal communications intended for entry)

Or:

> (703) 872-9314, (for informal or draft communications, and please label
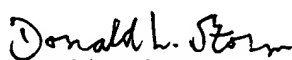> "PROPOSED" or "DRAFT")

> Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
> Arlington, VA (Sixth Floor, Receptionist)

37.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Donald L. Storm, of Art Unit 2654, whose telephone number is

(703)305-3941. The examiner can normally be reached on weekdays between 8:00 AM and 4:30

PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Richemond Dorvil can be reached on (703)305-9645. Any inquiry of a

general nature or relating to the status of this application or proceeding should be directed to the

Technology Center 2600 Customer Service Office at telephone number (703)306-0377.

Donald L. Storm
Patent Examiner
Art Unit 2654

September 10, 2003